IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25615 of 2008
VIJAY THAKUR
Versus
STATE OF BIHAR
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03. 23.09.2008 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is in jail since 22.1.2008 in Samastipur SC/ST P.S. Case No. 58 of 2007 initially registered under sections 341, 323, 376 of the Indian Penal Code and for the offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act but the cognizance has been taken against the petitioner, however, under sections 448 and 497 of the Indian Penal Code read with sections 3 (x) (xii) of the SC/ST Act. The allegation is that petitioner is supposed to have committed rape upon the victim who happens to be working as a maid servant in his house. Certain evidence has come during the course of investigation as well as during supervision of the case that petitioner was on visiting terms with the lady and only because they were probably caught in an embraced situation by the husband that the present case has come to be filed.

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With this background and circumstances, let the petitioner **Vijay Thakur** be enlarged on bail on furnishing bail bond of Rs.20, 000/- with two sureties of the like amount each to the satisfaction of the Special Judge, SC/ST Act, Samastipur in T R No. 231 of 2008 arising out of Samastipur SC/ST P. S. Case No.58 of 2007.

It is clarified that if the petitioner misuses the privilege of bail by intimidating the witnesses or the informant then they will have

liberty to move the Court for cancellation of bail.

Petitioner shall appear on each and every date either through himself or through his counsel during the trial.

rkp **(Ajay Kumar Tripathi, J)**

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